

Amendment No. 2 to HB2711

Ragan  
Signature of Sponsor

**AMEND Senate Bill No. 2729**

**House Bill No. 2711\***

by deleting "this part" in § 37-5-520(e)(1) of Section 6 and substituting "this section".

**AND FURTHER AMEND** by deleting "this part" in § 37-5-520(g) of Section 6 and substituting "this section".

**AND FURTHER AMEND** by deleting § 37-5-520(h) of Section 6 and substituting:

(h)

(1) Notwithstanding title 13, chapter 7 to the contrary, upon adoption of a resolution by two-thirds (2/3) vote of the county legislative body, a zoning authority, in determining the suitability of a request for a use of property for the establishment or alteration of a nontraditional child care agency, may consider the criminal background of the persons or person making the request or the criminal background of the persons or person who will manage or operate the nontraditional child care agency. The authority may require the person to submit a fingerprint sample and a criminal history disclosure form. A criminal history records check conducted under this subdivision (h)(1) must be conducted by the Tennessee bureau of investigation or the federal bureau of investigation, or both, and the results of the check must be forwarded to the authority.

(2) The authority shall maintain the confidentiality of all criminal history records information received pursuant to this subsection (h).

(3) The zoning authority is responsible for all costs associated with obtaining the criminal background information.

**AND FURTHER AMEND** by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION 12. Tennessee Code Annotated, Section 37-5-502(i), is amended by deleting the subsection and substituting:

(1) Notwithstanding title 13, chapter 7 to the contrary, upon adoption of a resolution by two-thirds (2/3) vote of the county legislative body, a zoning authority, in determining the suitability of a request for a use of property for the establishment or alteration of a child care agency, may consider the criminal background of the persons or person making the request or the criminal background of the persons or person who will manage or operate the child care agency. The authority may require the person to submit a fingerprint sample and a criminal history disclosure form. A criminal history records check conducted under this subdivision (i)(1) must be conducted by the Tennessee bureau of investigation or the federal bureau of investigation, or both, and the results of the check must be forwarded to the authority.

(2) The authority shall maintain the confidentiality of all criminal history records information received pursuant to this subsection (i).

(3) The zoning authority is responsible for all costs associated with obtaining the criminal background information.